IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1792 OF 2005

Abdul Salam Mohammed Yusuf Kazi ...Applicant
vs.
The State of Maharashtra ...Respondent

Mr.Nilesh Rameamthwar i/b Ms Anjali Patil for the Applicant
Ms M.H.Mhatre,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 15,2005

P.C.:

1. Heard Advocate for the Applicant and the learned A.P.P. for state. The prayer in this Application is for relaxation of condition imposed by the order dated 4th February 2005 passed by this Court. The condition in respect of which relaxation is sought requires the Applicant to deposit the passport with the Investigating Officer. It is contended in the Application that the Applicant has misplaced his passport while he was in custody. There is nothing on record to show that the Applicant has informed the Passport Authority about the loss of the passport. On the basis of such assertion the condition cannot be relaxed. If the Applicant recovers the passport after he is enlarged on bail, the very object of imposing this condition will be frustrated. It is pertinent to note that the Applicant has neither informed the Passport Authority about the loss of passport nor has applied for revocation of the passport under Section 10 (4) of the Passport Act, 1967.

2. In this view of the matter, the prayer made in this Application cannot be considered and the application is rejected.

JUDGE